

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION

BENJAMIN C. CHILDRESS, ET AL.,  
Plaintiffs,

v.  
AIR PRODUCTS AND CHEMICALS, INC.,  
Defendant.

ORDER OF DISMISSAL WITH  
PREJUDICE AND STIPULATED  
JUDGMENT

Civil Action No.: 6:09-cv-00486-HFF

WHEREAS:

A. On May 29, 2009, the named Plaintiffs in the above-captioned action (the "Action"), individually and as Collective Action Representatives, and Defendant Air Products & Chemicals, Inc. ("APCI"), by their respective counsel of record, executed and submitted for review a Confidential Joint Stipulation of Settlement and Release ("Stipulation");

B. This Court has duly considered all of the submissions with respect to the Stipulation;

C. All capitalized terms in this Order that are not otherwise defined have the same meaning as in the Stipulation;

NOW THEREFORE, after due deliberation, this Court hereby FINDS, CONCLUDES, ADJUDGES and DECREES that:

1. The Settlement on the terms and conditions set forth in the Stipulation shall be consummated in accordance with the terms and provisions of Section 216 of the Fair Labor Standards Act and are hereby approved pursuant to the same.

2. Without affecting the finality of this Order, this Court retains exclusive jurisdiction over the consummation, performance, administration, effectuation and enforcement of this Order of Approval. In addition, without affecting the finality of this Order of Approval, this Court retains jurisdiction over APCI, Plaintiff and each Collective Action Member for the purpose of enabling any of them to apply to the Court for such further orders and directions as may be necessary or appropriate for the construction and implementation of the terms of the Stipulation and this Order of Approval. The Parties are hereby deemed to have submitted irrevocably to the exclusive jurisdiction of this Court for any suit, action, proceeding or dispute relating to this Order of Approval or the Stipulation, except to the extent remitted by the Stipulation for resolution in a different forum.

HFF  
JL

3. The Court finds, pursuant to Fed. R. Civ. P. 54(b), that there is no just reason for delay, and directs the Clerk to enter this Order of Dismissal With Prejudice and Stipulated Judgment.

IT IS SO ORDERED this 4 day of JUNE, 2009.

*@ Spartanburg, SC*

*Henry F. Floyd*  
Hon. Henry F. Floyd  
United States District Judge

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